

REMARKS

Originally filed claims 1-8 have been amended and new claims 9-18 introduced in this amendment. New claims 9-14 relate to matter included in the originally filed claims. Basis for new claims 15-18 may be found, for example, in the illustrated embodiment of Figure 1 and the associated description.

Drawings

Figure 3 of the drawings has been amended to include the label -- Prior Art --. A replacement sheet is submitted herewith.

Claim Rejections - 35 USC § 112

In the Office action, the Examiner notes that the term “and/or” is included in claims 1-3 and 5-8 leading to indefiniteness, and that, for the purposes of examination, these occurrences have been treated simply as “or” statements.

Applicants have amended the claims where appropriate to remove the term “and/or”. New claims 9-14 relate to matter originally included as an alternative in an originally filed claim, with claims 9-11 directed to subject matter originally found in claim 3, and claims 12-14 directed to subject matter originally found in claim 5. It is believed that this overcomes the rejections under 35 USC § 112.

Claim 1 has been amended to specify that the at least one second capacitor is fixed, and consequential amendments have been made to various dependent claims.

Claim Rejections – 35 USC § 102

Claims 1-3 and 5-8 are rejected under U.S.C. 102(e) as being clearly anticipated by Sun (US 6,507,475).

Sun discloses an arrangement of variable capacitors, for example, as shown in Figure 11, in which control signals are applied from control electronics 1140 to vary individual capacitances.

Claim 1 as amended now requires that the device of the present invention comprises a first variable capacitor and at least one second fixed capacitor. Such an

arrangement is not disclosed or suggested by Sun. Accordingly, it is believed that claim 1 as amended is allowable for this reason at least.

Claims 2-14 are dependent directly or indirectly on allowable claim 1. For at least this reason, they are therefore also believed to be allowable and the rejection of claim 4 under 35 USC § 103 thus also moot.

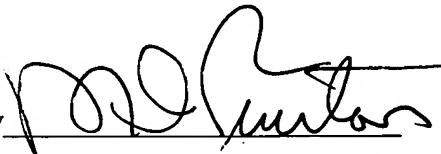
New independent claim 15 specifies that a device comprises a variable capacitor and a plurality of fixed capacitors arranged in parallel with the variable capacitor and with each other. This arrangement is not shown or suggested in Sun, and it is thus believed claim 15 is allowable.

Claims 16-18 are dependent on claim 15, which is believed to be allowable, and for at least this reason are therefore also believed to be allowable.

Reconsideration of this application is respectfully requested.

Respectfully submitted,

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Attachment

Replacement Sheet 2/2

Date: Feb. 16, 2006

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Amendments to the Drawings:

Attached is a replacement sheet to overcome Examiner's objection to Figure 3.

Attachment:
Replacement Sheet 2/2